REMARKS/ARGUMENTS

Applicants appreciate the Examiner's continued thorough search and examination of the present patent application.

Claim 1 has been canceled. Claim 2 has been amended to be rewritten in independent form, and no substantive changes or features have been added or removed. No other amendments to the claims have been made.

Claims 1-22 are rejected under 35 U.S.C. §102(e) as being clearly anticipated by Hughes ("Hughes," U.S. Patent Application Publication No. 2005/0198239). Applicant respectfully traverses this rejection.

The invention is a method and system that improves computer software job accounting and software chargeback functions, for example, at computer data centers. More particularly, the invention combines the functionality of a "job accounting and chargeback subsystem (JACS)," a "license manager" and a "job accounting and software use intercoupling facility that intercouples use information provided by the license manager subsystem with chargeback data provided by the JACS." The "software license manager" component includes a "product use monitoring subsystem" that handles requests for and grants rights to the use of licensed software products. The software license manager further develops software product use information. The use of software products to which the product use information relates requires payment of specified license fees to one or more licensors.

In accordance with applicants' amended claim 2, the JACS subsystem develops "chargeback data." The chargeback data is applicable to "charged entities" that are separate of and unrelated to the licensors and to the specified license fees, and the JACS system allocates license fees in accordance with predefined criteria based on the charge entities' utilization of software or computer facilities.

The job accounting and software use intercoupling facility provides software- product chargeback information by intercoupling the software product use information (provided by the software license manager) and the chargeback data (provided by the JACS subsystem). Thus, the combination improves computer software job accounting and chargeback functionality.

Further, a "process-data collector" is defined that "develops process-related data" from which and the "job accounting and chargeback subsystem" can derive the "identities of the

charged entities."

The Examiner states, for example at page 3, that Hughes teaches all of the elements of applicants' claims. Applicants respectfully disagree.

Hughes relates to a "networked computer system" in which a server automatically configures a "suite" of applications on clients without running "standard installation programs" (see abstract). In a preferred form, the clients are "thin clients" or "personal computers" and the clients are provided with merely a "boot operating system" (paragraphs 29-32). Hughes's networked computer system "allows users the opportunity to travel without carrying a specialized appliance or smart card" (paragraph 43). Further, an "RJ-11 connector" is provided within "appliance 132" for a user to plug a "standard telephone handset" for "Internet phone access."
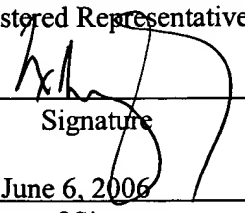
In Hughes, when a client connects to the server 200, a lookup is performed in a profile database to determine respective operating system(s) ("OS") and applications are included in a user's profile (paragraph 50). The OS/application(s) are downloaded to the client (paragraphs 50-51). The same OS/application(s) are provided until the user changes his profile, or an update to a program is made available (paragraphs 61, 91).

Reconsideration of the application is respectfully requested and passage of the claims to issuance.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 6, 2006:

_____Max Moskowitz_____
Name of applicant, assignee or
Registered Representative

_____
Signature

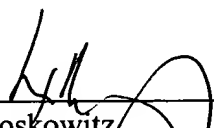_____June 6, 2006_____
Date of Signature

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